

UNIFORM RULES OF COURT
SUPERIOR COURT OF CALIFORNIA, COUNTY OF KERN

Chapter I. General Rules

Rule 1.1 Effective Date of Rules (Effective 7/1/03)

In accordance with the California Rules of Court, the Superior Court, County of Kern, has significantly revised the content and the numbering of the Local Rules of Court which has changed the effective date of all rules to July 1, 2003.
(Effective 7/1/03)

Rule 1.2 Duties of Presiding Judge (Effective 7/1/03)

Rule 1.2.1 Administrative Duties (Effective 7/1/03)

Give general direction and supervision to the Court Executive Officer and prescribe the general policy within which the Clerk's Office shall function. It shall be the responsibility of the Court Executive Officer to plan, organize, staff and direct the detailed operations of the non-judicial activities of the Court.
(Effective 7/1/03)

Rule 1.2.2 Master Calendar - Presiding Department (Effective 7/1/03)

The Presiding Judge shall call the Master Trial Calendar in the Presiding Judge's Department daily at the time fixed. Attorneys are required to be ready for trial and present unless excused by the Presiding Judge. (Effective 7/1/03)

- (a) Jury and non-jury cases set for trial shall proceed to trial on the date set, subject to availability of trial departments and divisions. (Effective 7/1/03)
- (b) Cases for which no trial department or division is available on the day set will be placed on the trailing calendar to proceed to trial on the next available date in order of precedence on the trailing calendar and will take precedence over cases of the same class set for subsequent dates, except as otherwise ordered by the Presiding Judge. (Effective 7/1/03)
- (c) Any case remaining on the trailing calendar for ten court days without being assigned to a department or division for trial shall be reset to a date certain, and will be given precedence on such date, unless otherwise ordered by the Presiding Judge. (Effective 7/1/03)
- (d) Any department unable to proceed with a trial of a case assigned shall promptly notify the Presiding Judge's Department. (Effective 7/1/03)

UNIFORM RULES OF COURT
SUPERIOR COURT OF CALIFORNIA, COUNTY OF KERN

- (e) No motions to continue a trial will be considered once the case is assigned to a trial department or division unless the grounds for the continuance were unknown, and reasonably could not have been known when approved for trial. The motion will be heard at the earliest possible convenience by the Presiding Judge only and, if denied, will be reassigned to a trial department or division if available. (Effective 7/1/03)

Rule 1.2.3 Newly Elected or Appointed Judge (Effective 7/1/03)

Any newly elected or appointed judge shall sit and serve in the same geographical division of the court wherein a newly created seat is set or wherein the judicial officer who is being replaced sat and served. (Effective 7/1/03)

Rule 1.2.4 Judicial Assignments (Effective 7/1/03)

The judges of the Regional Courts shall retain the physical location they were initially assigned unless workload or funding changes require a change in staffing of the Regional Court in question. Any such change will be made by the Presiding Judge with the approval of two-thirds of the judges. This rule shall not be construed to conflict with California Rules of Court, Rule 6.603. (Effective 7/1/03)

Rule 1.3 **Calendars** (Effective 7/1/03; rev. 1/1/06)

The time for the calendaring and hearing of all Law and Motion matters, trials and other in-court proceedings shall be in accordance with the calendar Addendum 1A through 1L and 2. Addenda are posted on the court's website or are available free at all Kern County Superior Court locations. (Effective 7/1/03; rev. 1/1/06)

Rule 1.4 **Jurors** (Effective 7/1/03)

Rule 1.4.1 Selection of Jurors (Effective 7/1/03)

Prospective jurors who reside more than 75 miles from Bakersfield shall not be summoned to serve as jurors in the Metropolitan Divisions of Superior Court except as directed by the judge conducting voir dire or by the Presiding Judge. Prospective jurors who reside outside the boundaries of the East Division of the Superior Court shall not be summoned to serve as jurors in those respective branches except as directed by the Judge conducting voir dire or by the Presiding Judge. A request for countywide venire is to be made in writing no less than 20 days prior to the first date the matter is set for trial. Failure to make such a request shall be deemed a waiver of any right to countywide venire. (Effective 7/1/03)

UNIFORM RULES OF COURT
SUPERIOR COURT OF CALIFORNIA, COUNTY OF KERN

Rule 1.4.2 **Jury Instructions/Verdict Forms** (Effective 7/1/03; rev. 1/1/06)

- (a) In both civil and criminal cases, the parties shall submit copies of requested jury instructions on the day the jury is sworn unless otherwise ordered by the trial judge. (Effective 7/1/03)
- (b) The Court shall maintain printed copies of CACI Jury Instructions. A schedule that lists the designated instructions by number will be available to practitioners. (Effective 7/1/03; rev. 1/1/06)
- (c) Proposed pattern jury instructions that have been modified by a party shall specify in parenthesis, or other appropriate manner, the respect in which the instructions have been modified. (Effective 7/1/03)
- (d) The party requesting a CACI or CALJIC Instruction, which contains one or more blanks, shall type in the blank space all the words required to adapt the form for use in the pending case. (Effective 7/1/03; rev. 1/1/06)
- (e) Each party shall submit proposed verdicts in completed form suitable for use by the jury in the pending case. This requires a separate form for each verdict with the caption of the case typed on paper that has nothing on it to identify the form with any party. (Effective 7/1/03)

Rule 1.5 **Subordinate Judicial Officers. Submitted Causes** (Effective 7/1/04)

No cause submitted to a subordinate judicial officer shall remain undecided and pending for longer than 90 days. (Effective 7/1/04)

Rule 1.6 **Court Reporter Availability** (Adopted 1/1/06)

Pursuant to the requirements of Government Code Section 68086(a)(6)(A) and California Rules of Court Rule 891(b)(1), court reporter availability for each Kern County court location is posted in that local court. In addition, court reporter availability for all Kern County Superior Court locations is posted on the court's website. (Effective 1/1/06)